IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

THE PROCTER & GAMBLE COMPANY, Plaintiff, v. TEVA PHARMACEUTICALS USA, INC., Defendant.	Civil Action No. 04-940-JJF

[PROPOSED] ORDER OF FINAL JUDGMENT

This action having come to trial in November 2006 before this Court, Honorable Joseph J. Farnan, Jr., District Judge, presiding, on all remaining issues not previously stipulated to by the parties pursuant to the Stipulation and Order (D.I. 63) entered by the Court on February 2, 2006 and the Stipulation and Order (D.I. 86) entered by the Court on November 8, 2006;

AND these issues having been tried and the Court having issued its Opinion on February 28, 2008;

NOW THEREFORE, IT IS ORDERED AND ADJUDGED for the reasons set forth in the Court's Opinion dated February 28, 2008, that Final Judgment is entered in favor of the Plaintiff, The Procter & Gamble Company ("P&G"), and against the Defendant, Teva Pharmaceuticals USA, Inc. ("Teva"), on P&G's claims that Teva has infringed Claims 4, 16, and 23 of U.S. Patent No. 5,583,122 ("the '122 patent");

AND IT IS FURTHER ORDERED AND ADJUDGED that claims 4, 16, and 23 of the '122 patent are valid and enforceable;

AND IT IS FURTHER ORDERED that, pursuant to 35 U.S.C. § 271(e)(4)(A), the effective date of any approval of Teva's Abbreviated New Drug Application No. 77-132 shall be

modified to a date which is not earlier than the date of expiration of the '122 patent, including any extensions and regulatory exclusivities that are granted and not successfully challenged;

AND IT IS FURTHER ORDERED that, pursuant to 35 U.S.C. § 271(e)(4)(B), Teva and its successors-in-interest, officers, agents, servants, employees and attorneys, and those persons in active concert or participation with any of them who receive actual notice of this Order by personal service or otherwise, are hereby enjoined from commercially making, using, offering to sell or selling within the United States, or importing into the United States any products that infringe the '122 patent, including the 5 mg or 35 mg risedronate sodium tablets for treatment or prevention of osteoporosis, or the 30 mg risedronate sodium tablets for treatment of Paget's disease of bone that are the subject of Abbreviated New Drug Application No. 77-132, until the ***later*** of the expiration of the '122 patent (December 10, 2013) or the expiration of any patent term extensions or any regulatory exclusivities that are granted and not successfully challenged.

DATED THIS ___ DAY OF _____, 2008.

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United States District Judge